

## **CRUISE LINE WAIVER GUIDELINES**

- 1. The cruise ship(s) involved must provide overnight berthing to all cruise passengers who are transported on charter flights;<sup>1</sup>**
- 2. The cruise line may offer cruise passengers land accommodations before, after, and/or during the cruises, however, the total number of nights of such lodging may in no instance be equal to or greater than the number of nights the passengers are berthed aboard ship during their cruise. In other words, the charter package must be primarily a cruise;**
- 3. Before it sells to cruise passengers that may be transported on charter flights, the cruise line must have contracts with one or more direct air carriers (airlines) to perform necessary flights and a waiver from the Department;<sup>2</sup>**
- 4. The Cruise Line must inform prospective cruise passengers that their flights to and/or from cruise embarkation/debarkation points may be charters and make full refunds to passengers not so informed who object upon being assigned to a charter flight;**
- 5. The Cruise Line must guarantee to the Department that the charter passengers will make their sailings; and**
- 6. The Cruise Line must provide a bond on a form provided by the Department or other security arrangement satisfactory to the Department in an amount no less than the sum of the Cruise Line's charter price of all flights for which waivers are sought or twice the price of the most expensive flight shown, whichever is greater.<sup>3</sup> If for only one flight, the amount must be no less than twice the charter price of that flight.<sup>4</sup> The security arrangement must remain in place for 60 days after the last return flight.**

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<sup>1</sup> Cruise line employees may accompany the cruise passengers (whether or not they are ship's crew), however, only if they do not pay toward the flight, directly or indirectly. In appropriate circumstances, a waiver may be given to transport agents of the cruise line.

<sup>2</sup> In appropriate circumstances, waivers may be granted after such sales have begun, however, such waivers will not preclude enforcement action for unauthorized sales.

<sup>3</sup> However, so long as the bond assures air transportation for the passengers of a single cruise line only, the penal sum need not exceed \$500,000.

<sup>4</sup> This minimum amount is intended to assure even last minute replacement carriers that they will be paid in full. *See* 14 CFR 212.8(c).

